

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

ETCO SERVICES, LLC, an Idaho  
limited liability company,

Plaintiff,

vs.

KILLIAN CONSTRUCTION  
CO., dba KILLIAN  
CONSTRUCTION, INC.,  
a Missouri corporation,

Defendant.

No. CV-11-042-LRS

**ORDER RE STIPULATED  
PROTECTIVE ORDER**

The parties have submitted to the court a proposed “Stipulated Protective Order.” (Ct. Rec. 19).

The court has developed concerns about entering protective orders that may result in the sealing of materials which do not justify that protection. While the court fully recognizes the right of the parties to enter into private agreements concerning the discovery, retention and inadvertent disclosure of otherwise confidential information, the court need not be a party to the agreement. Accepting the joint representation of the parties that sensitive information may be exchanged, to the extent either party concludes it is necessary to provide the court with copies of otherwise confidential materials to be considered in connection with issues coming before the court, such documents should be filed separately under seal with a courtesy copy sent to chambers. If an issue arises concerning discovery, dissemination or use

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1 of such materials by either party, an appropriate motion can be noted for hearing.

2 Accordingly, the court declines to enter the "Stipulated Protective Order" (Ct.  
3 Rec. 19).

4 **IT IS SO ORDERED.** The District Executive is directed to enter this order  
5 and forward copies to counsel.

6 **DATED** this 23rd of March, 2011.

7 **s/Lonny R. Suko**

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9 LONNY R. SUKO  
United States District Judge